

No. 26745

FRANCE
and
SWITZERLAND

Exchange of notes constituting an agreement amending the Declaration of 1 February 1913 concerning the transmission of judicial and extra-judicial documents and letters rogatory in civil and commercial matters (with annex). Paris, 13 December 1988

Authentic text: French.

Registered by France on 27 July 1989.

FRANCE
et
SUISSE

Échange de notes constituant un accord portant modification de la Déclaration du 1^{er} février 1913 relative à la transmission des actes judiciaires et extrajudiciaires et des commissions rogatoires en matière civile et commerciale (avec annexe). Paris, 13 décembre 1988

Texte authentique : français.

Enregistré par la France le 27 juillet 1989.

[TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN FRANCE AND THE SWISS FEDERAL COUNCIL
AMENDING THE DECLARATION OF 1 FEBRUARY 1913 CON-
CERNING THE TRANSMISSION OF JUDICIAL AND EXTRA-
JUDICIAL DOCUMENTS AND LETTERS ROGATORY IN CIVIL
AND COMMERCIAL MATTERS²

I

EMBASSY OF SWITZERLAND

454.10
444.10

The Embassy of Switzerland presents its compliments to the Ministry of Foreign Affairs and has the honour to state the following:

Discussions took place between experts from the competent authorities of the two States on 18 November 1986 and 7 January 1988 regarding the implementation of the Declaration between Switzerland and France concerning the transmission of judicial and extra-judicial documents and letters rogatory in civil and commercial matters dated 1 February 1913² (hereinafter referred to as the Declaration). Following the discussions, it was agreed to standardize the system for the direct transmission between Switzerland and France of judicial and extra-judicial documents and letters rogatory in civil and commercial matters and to amend the Declaration accordingly.

The Embassy proposes that articles 1 and 2 of the Declaration be abrogated and replaced by the following provisions:

Article 1

Judicial and extra-judicial documents and letters rogatory in civil and commercial matters shall be the subject of direct transmission between the Swiss authorities included in the list annexed hereto, and, in France, the Government Procurators.

Article 2

The requested authority shall be that within whose area of competence the addressee of the document is located or within whose area of competence letters rogatory are to be executed. In instances where the requested authority is not competent, the latter shall directly transmit the document or the letters rogatory to the competent authority.

If the Ministry is in a position to agree to the foregoing, the present note and the reply that it may send to the Embassy shall constitute the Agreement between the

¹ Came into force on 13 December 1988, the date of the note in reply, in accordance with the provisions of the said notes.

² *British and Foreign State Papers*, vol. 107, p. 825.

two Governments amending the Declaration between Switzerland and France concerning the transmission of judicial and extra-judicial documents and letters rogatory in civil and commercial matters dated 1 February 1913. This Agreement shall enter into force on the date of the reply from the Ministry.

The Embassy of Switzerland takes this opportunity, etc.

Paris, 13 December 1988

Ministry of Foreign Affairs
Department for the French Overseas
and Foreigners in France
Reciprocal Agreements Section
Paris

ANNEX

LIST OF SWISS AUTHORITIES COMPETENT TO CORRESPOND DIRECTLY WITH THE FRENCH AUTHORITIES REGARDING MUTUAL LEGAL ASSISTANCE IN CIVIL AND COMMERCIAL MATTERS

(As of 1 May 1988)
(In alphabetical order)

A. Federal authorities

Office fédéral de la police du Département fédéral de justice et police, 3003 Berne

Tribunal fédéral, 1000 Lausanne 14

Tribunal fédéral des assurances, 6006 Lucerne

B. Cantonal high courts

AR	Appenzell Rhodes-Extérieures	Obergericht, 9043 Trogen
AI	Appenzell Rhodes-Intérieures	Kantonsgericht, 9050 Appenzell
AG	Argovie	Obergericht, 5000 Aarau
BL	Bâle-Campagne	Obergericht, 4410 Liestal
BS	Bâle-Ville	Appellationsgericht, 4000 Bâle
BE	Berne	Cour suprême, case postale 2692, 3001 Berne
FR	Fribourg	Tribunal cantonal, 1700 Fribourg
GE	Genève	Cour de Justice, 1200 Genève
GL	Glarus	Obergericht, 8750 Glarus
GR	Grisons	Kantonsgericht, 7000 Coire
JU	Jura	Tribunal cantonal, 2900 Porrentruy
LU	Lucerne	Obergericht, 6000 Lucerne
NE	Neuchâtel	Tribunal cantonal, 2000 Neuchâtel
SG	Saint-Gall	Kantonsgericht, 9001 St-Gall
SH	Schaffhouse	Obergericht, 8200 Schaffhouse
SZ	Schwyz	Kantonsgericht, 6430 Schwyz
SO	Soleure	Obergericht, 4500 Soleure
TI	Tessin	Tribunale di appello, 6900 Lugano
TG	Thurgovie	Obergericht, 8500 Frauenfeld
NW	Unterwald-le-Bas	Obergericht, 6370 Stans
OW	Unterwald-le-Haut	Obergericht, 6060 Sarnen
UR	Uri	Obergericht, 6460 Altdorf
VS	Valais	Tribunal cantonal, 1950 Sion
VD	Vaud	Tribunal cantonal, 1003 Lausanne
ZG	Zoug	Obergericht, 6300 Zoug
ZH	Zurich	Obergericht, 8023 Zurich

C. District courts

Postal
Code

5000	Aarau/AG	Bezirksgericht
3270	Aarberg/BE	Richteramt
4912	Aarwangen/BE	Richteramt
6716	Acquarossa/TI	Pretura di Blenio
8910	Affoltern a.A./ZH	Bezirksgericht
1860	Aigle/VD	Tribunal du district
6460	Altdorf/UR	Landgericht Uri
9450	Altsätten/SG	Bezirksgerichte Unterrheintal und Oberreintal
7440	Andeer/GR	Bezirksgericht Hinterrhein

*Postal
Code*

8450	Andelfingen/ZH	Bezirksgericht
6490	Andermatt/UR	Landgericht Ursern
9050	Appenzel/AI	Bezirksgericht
9320	Arbon/TG	Bezirksgericht
4144	Arllesheim/BL	Bezirksgericht
1170	Aubonne/VD	Tribunal du district
1580	Avenches/VD	Tribunal du district
5400	Baden/AG	Bezirksgericht
4710	Balsthal/SO	Richteramt Thal und Gäu
4000	Basel/Bâle/BS	Zivilgericht Basel-Stadt
6500	Bellinzona/TI	Pretura
3123	Belp/BE	Richteramt Seftigen
3011	Bern/Berne/BE	Richteramt, Büro für Rechtshilfe
6710	Biasca/TI	Pretura di Riviera
2500	Biel/Bienne/BE	Tribunal du district/Richteramt
9220	Bischofszell/TG	Bezirksgericht
3771	Blankenburg/BE	Richteramt Obersimmental
2017	Boudry/NE	Tribunal du district
5620	Bremgarten/AG	Bezirksgericht
3900	Brig/Brigue/VS	Instruktionsgericht
5200	Brugg/AG	Bezirksgericht
8180	Bülach/ZH	Bezirksgericht
1630	Bulle/FR	Tribunal de la Gruyère
3294	Büren a. A/BE	Richteramt
3400	Burgdorf/Berthoud/BE	Richteramt
7505	Celerina/GR	Bezirksgericht Maloja
2053	Cernier/NE	Tribunal du Val-de-Ruz
6675	Cevio/TI	Pretura di Vallemaggia
1837	Château-d'Oex/VD	Tribunal du district du Pays d'Enhaut
1618	Châtel-St-Denis/FR	Tribunal de la Veveyse
2300	La Chaux-de-Fonds/NE	Tribunal du district
7000	Chur/Coire/GR	Bezirksgericht Plessur
1304	Cossonay/VD	Tribunal du district
2608	Courtelary/BE	Tribunal du district
1096	Cully/VD	Tribunal du district de Lavaux
7270	Davos-Platz/GR	Bezirksgericht Oberlandquart
2800	Delémont/JU	Tribunal du district
8157	Dielsdorf/ZH	Bezirksgericht
8253	Diessenhofen/TG	Bezirksgericht
7180	Disentis/Mustér/Segnes/GR	Bezirksgericht
4143	Dornach/SO	Richteramt Dorneck-Thierstein
1040	Echallens/VD	Tribunal du district
8840	Einsiedeln/SZ	Bezirksgericht
6162	Entlebuch/LU	Amtsgericht
3235	Erlach/BE	Richteramt
1470	Estavayer-le-Lac/FR	Tribunal de la Broye
6760	Faido/TI	Pretura di Leventina
7012	Felsberg/GR	Bezirksgericht Imboden
7477	Filisur/GR	Bezirksgericht Albula
9230	Flawil/SG	Bezirksgerichte Untertoggenburg und Gossau
3312	Fraubrunnen/BE	Richteramt
8500	Frauenfeld/TG	Bezirksgericht
1700	Fribourg/FR	Tribunal de la Sarine
3714	Frutigen/BE	Richteramt
4460	Gelterkinden/BL	Bezirksgericht

*Postal
Code*

1211	Genève/GE	Tribunal de 1ère instance (Notification through the Parquet du Procureur général)
6442	Gersau/SZ	Bezirksgericht
8750	Glarus/GL	Zivilgericht
1422	Grandson/VD	Tribunal du district
8215	Hallau/SH	Bezirksrichter Unterklettgau
8340	Hinwil/ZH	Bezirksgericht
6280	Hochdorf/LU	Amtsgericht
8810	Horgen/ZH	Bezirksgericht
3800	Interlaken/BE	Richteramt
8280	Kreuzlingen/TG	Bezirksgericht
6010	Kriens/LU	Amtsgericht Luzern-Land
5726	Kulm/AG	Bezirksgericht Kulm in Unterkulm
6403	Küssnacht a.R./SZ	Bezirksgericht
8853	Lachen/SZ	Bezirksgericht March
3550	Langnau i.E./BE	Richteramt Signau
4242	Laufen/BE	Richteramt
4335	Laufenburg/AG	Bezirksgericht
3177	Laupen/BE	Richteramt
1003	Lausanne/VD	Tribunal du district
5600	Lenzburg/AG	Bezirksgericht
3953	Leuk Stadt/Loèche-Ville/VS	Instruktionsgericht
9620	Lichtensteig/SG	Bezirksgerichte Ober- und Neu-Toggenburg
4410	Liestal/BL	Bezirksgericht
6600	Locarno/TI	Pretura (Locarno Città/Campagna)
2400	Le Locle/NE	Tribunal du district
6900	Lugano/TI	Pretura (Lugano-Città/Ceresio/Campagna)
6000	Luzern/LU	Amtsgericht Luzern-Stadt
1920	Martigny-Ville/VS	Tribunal du district
8706	Meilen/ZH	Bezirksgericht
3860	Meiringen/BE	Richteramt Oberhasli
8887	Mels/SG	Bezirksgerichte Werdenberg und Sargans
6850	Mendrisio/TI	Pretura Mendrisio Nord e Sud
1870	Monthey/VS	Tribunal du district
3280	Morat/Murten/FR	Tribunal du Lac/Bezirksgericht des Sees
1110	Morges/VD	Tribunal du district
2112	Môtiers/NE	Tribunal du Val-de-Travers
1510	Moudon/VD	Tribunal du district
2740	Moutier/BE	Tribunal du district
9542	Münchwilen/TG	Bezirksgericht
5630	Muri/AG	Bezirksgericht
7537	Müstair/GR	Bezirksgericht Münstertal
2000	Neuchâtel/NE	Tribunal du district
8213	Neunkirch/SH	Bezirksgericht Oberklettgau
2520	La Neuveville/BE	Tribunal du district
2560	Nidau/BE	Richteramt
1260	Nyon/VD	Tribunal du district
9413	Oberegg/AI	Bezirksgericht
4600	Olten/SO	Richteramt Olten-Gösgen
1350	Orbe/VD	Tribunal du district
1610	Oron-la-Ville/VD	Tribunal du district
1530	Payerne/VD	Tribunal du district
8330	Pfäffikon/ZH	Bezirksgericht
2900	Porrentruy/JU	Tribunal du district
7742	Poschiavo/GR	Bezirksgericht Bernina

Postal
Code

4310	Rheinfelden/AG	Bezirksgericht
1180	Rolle/VD	Tribunal du district, 1260 Nyon
1680	Romont/FR	Tribunal de la Glâne
9400	Rorschach/SG	Bezirksgericht
6535	Roveredo/GR	Bezirksgericht Moësa
9004	St. Gallen/SG	Bezirksgericht
3792	Saanen/BE	Richteramt
2726	Saignelégier/JU	Tribunal des Franches-Montagnes
6060	Sarnen/OW	Kantonsgericht
8200	Schaffhausen/SH	Bezirksrichter und Kantonsgericht
7220	Schiers/GR	Bezirksgericht Unterlandquart
8226	Schleitheim/SH	Bezirksrichter
3082	Schlosswil/BE	Richteramt Konolfingen
3150	Schwarzenburg/BE	Richteramt
6430	Schwyz/SZ	Bezirksgericht
7550	Scuol/GR	Bezirksgericht Inn
1933	Sembracher/VS	Tribunal du district d'Entremont
1347	Le Sentier/VD	Tribunal du district de la Vallée
7157	Siat/GR	Bezirksgericht Glenner
3960	Sierre/Siders/VS	Tribunal du district
1950	Sion/Sitten/VS	Tribunal du district
1950	Sion/VS	Tribunal d'Hérens-Conthey
4450	Sissach/BL	Bezirksgericht
4500	Solothurn/Soleure/SO	Richteramt Bucheggberg-Kriegstetten
4500	Solothurn/SO	Richteramt Solothurn Lebern
6370	Stans/NW	Kantonsgericht
8266	Steckborn/TG	Bezirksgericht
8260	Stein am Rhein/SH	Bezirksrichter
6210	Sursee/LU	Amtsgericht
1712	Tafers/FR	Bezirksgericht der Sense
8240	Thayngen/SH	Bezirksrichter Reiat
3600	Thun/Thoune/BE	Richteramt
7430	Thusis/GR	Bezirksgericht Heizenberg
3456	Trachselwald/BE	Richteramt
9043	Trogen/AR	Bezirksgericht Hinterland
9043	Trogen/AR	Bezirksgericht Mittelland
9043	Trogen/AR	Bezirksgericht Vorderland
8610	Uster/ZH	Bezirksgericht
8730	Uznach/SG	Bezirksgerichte Gaster und See
1800	Vevey/VD	Tribunal du district
3930	Visp/Viège/VS	Instruktionsgericht
4437	Waldenburg/BL	Bezirksgericht
4705	Wangen a.A./BE	Richteramt
8570	Weinfelden/TG	Bezirksgericht
9500	Wil/SG	Bezirksgerichte Wil und Alltogggenburg
6130	Willisau/LU	Amtsgericht
3752	Wimmis/BE	Richteramt Niedersimmental
8400	Winterthur/ZH	Bezirksgericht
8832	Wollerau/SZ	Bezirksgericht Höfe
1400	Yverdon/VD	Tribunal du district
4800	Zofingen/AG	Bezirksgericht
6300	Zug/Zoug/ZG	Kantonsgericht
8026	Zürich/ZH	Bezirksgericht
8437	Zurzach/AG	Bezirksgericht

II

MINISTRY OF FOREIGN AFFAIRS
HEAD OF THE DEPARTMENT FOR THE FRENCH OVERSEAS
AND FOREIGNERS IN FRANCE

Paris, 13 December 1988

023879

The Ministry of Foreign Affairs presents its compliments to the Embassy of Switzerland in Paris and has the honour to refer to its note dated 13 December 1988 which reads as follows:

[See note I]

The Ministry has the honour to inform the Embassy of Switzerland that its Government agrees to the foregoing provisions. The Agreement will therefore enter into force on today's date.

The Ministry of Foreign Affairs takes this opportunity, etc.

Embassy of Switzerland
Paris
